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PATENT

Attorney Docket No. S-020211US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Tom Faciszewski, M.D. **EXAMINER:** McCrosky, David J.
SERIAL NO.: 10/074,512 **CONFIRMATION NO.:** 8237
FILED: February 11, 2002 **ART UNIT:** 3736
FOR: *BIOPSY/ACCESS TOOL WITH INTEGRATED BIOPSY AND ACCESS CANNULA AND USE THEREOF*

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 18, 2004

Date

By: Stephen Faciszewski

Stephen Faciszewski, Esq.

Mailstop AF Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**SMALL ENTITY PETITION FOR EXTENSION OF TIME UNDER
37 C.F.R. §1.136(a) AND TRANSMITTAL OF FEE UNDER 37 C.F.R. §1.17**

**AMENDMENT AND REQUEST FOR RECONSIDERATION
AFTER FINAL REJECTION UNDER 37 C.F.R. § 1.116**

Transmitted herewith is an Amendment and Request for Reconsideration After Final Rejection Under 37 C.F.R. §1.116, completely responding to the outstanding Final Rejection in the above-identified patent application. The shortened statutory period having expired July 19, 2004, Applicant requests an extension of time for a period of three (3) months. Attached hereto is Check No. 2267 in the amount of four hundred ninety U.S. dollars (\$490.00 US) in payment of an Extension Fee for response within the third month pursuant to §1.136(a).

If the Office should have any questions concerning this Petition, or identifies any additional fees, not contemporaneously or previously paid to maintain this pending application, Applicant asks that the Office promptly telephone Applicant at: 715.389.2619; or alternatively, Applicant's undersigned Attorney at: 206.283.1665.

Respectfully submitted,



Stephen Faciszewski, Esq.

Reg. No. 36,131

Attorney for Applicant

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Date: October 18, 2004